



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

October 4, 1990

Honorable Ernestine V. Glossbrenner
Chairman
Public Education Committee
Texas House of Representatives
P. O. Box 2910
Austin, Texas 78768-2910

LO-90-71

Dear Representative Glossbrenner:

You ask whether a school district trustee may participate in a health care plan established under section 21.922 of the Education Code. You note that a trustee is to serve without compensation. Educ. Code § 23.19(e).

Section 21.922 provides:

(a) The board of trustees of a school district may establish a health care plan for employees of the district and dependents of employees.

By its terms, a health care plan established under section 21.922 is limited to district employees and their dependents. See Attorney General Opinion H-715 (1975) (board members not "employees"). Consequently, we need not consider whether the situation you describe would contravene section 23.19(e).

Yours very truly,

A handwritten signature in dark ink, reading "Sarah Woelk", is written over a horizontal line.

Sarah Woelk
Chief
Letter Opinion Section

SW/lcd

Ref.: RQ-2086
ID# 10229